

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

05-217

First Named Inventor: HASKELL, Philip Edward

Art Unit: 2617

Application Number: 10/529,589

Examiner: William D. Cumming

Filed: March 29, 2005

Title: Mobile Radio Base Station

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

- ☐ Small entity - fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 510.00 (37 CFR 1.17(l)).

2. Reply and/or fee

- A The reply and/or fee to the above-noted Office action in the form of
Reply to the February 9, Non-Final Office Action (identify the type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

- B The issue fee of \$ _____

- ☐ has been filed previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/A. Blair Hughes/

October 24, 2007

Signature

Date

A. Blair Hughes

32,901

Typed or printed name

Registration Number, if applicable

MBHB 300 South Wacker Drive, 32nd Floor

312-913-2123

Address

Telephone Number

Chicago, IL 60606

Address

Enclosure ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unavoidable delay

☐ _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 272-8300.

_____ Date

_____ Signature

_____ Typed or printed name of person signing certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

/A. Blair Hughes/

Signature

October 24, 2006

Date

A. Blair Hughes

Typed or printed name

32,901

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)
The delay in filing a response to the February 9, 2007 Office Action for this case was unavoidable because McDonnell Boehnen Hulbert & Berghoff LLP- the attorneys of record - never received the Office Action from the USPTO.

Attached at Appendix A is a copy of the Office Action including a cover sheet from the U.S. Postal Service indicating that the mailed Office Action was returned to the USPTO mail center on February 12, 2007.

Attached at Appendix B is a copy of an incoming USPTO mail log kept in the ordinary course of business by McDonnell Boehnen Hulbert & Berghoff LLP (MBHB). Every piece of USPTO prosecution mail received by MBHB is manually logged. The attached log sheets span date ranging from February 8, 2007 to March 2, 2007. The logs do not include a record of the receipt of any USPTO mail concerning the above-identified patent application.

Attached at Appendix C is a copy of a report - derived from USPTO private PAIR - and run by the MBHB docketing department on 2/14/2007 that identifies all outgoing USPTO communications for applications corresponding to the MBHB customer number from 2/2/2007 to 2/12/2007. The report does not list any communications related to MBHB docket no. 05-217.

We first became aware of the February 9, 2007 Office Action when we received a Notice of Abandonment for this case on September 24, 2007. Since learning of the application abandonment, we have worked diligently to draft a Reply to the February 9, 2007 Office Action and to prepare this petition.

For these reasons, revival of the application for being unavoidably abandoned is respectfully requested.

ALTERNATIVE PETITION

Should this petition be denied, then the Applicant asks that this petition be converted into a petition to revive and an unintentionally abandoned application. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

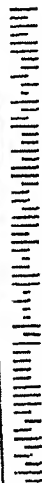
The USPTO is authorized to withdraw any additional fees required by the alternative petition from Deposit Account No. 13-2490.

(Please attach additional sheets if additional space is needed.)

Appendix A

(Copy of Office Action Returned To USPTO)

TC 2600

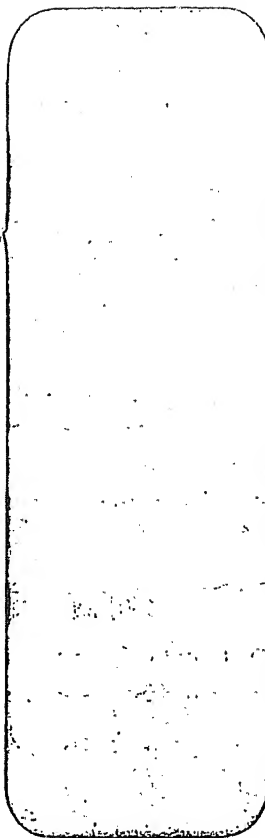


Alexandria, VA 22313-1450

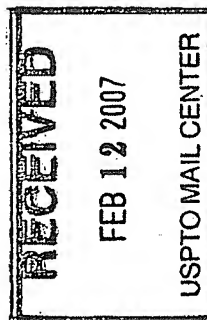
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/529,589

03/29/2005

Philip Edward Haskell

05-217

9023

20306 7590 02/09/2007
MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 S. WACKER DRIVE
32ND FLOOR
CHICAGO, IL 60606

EXAMINER

CUMMING, WILLIAM D

ART UNIT

PAPER NUMBER

2617

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

DOCKETED

SEP 24 2007

DUE DATE: _____

BY: _____

DETAILED ACTION

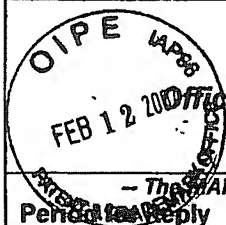
Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicants' submission filed on November 1, 2006 has been entered.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the application of the complex weight as stated in claim 18 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,



Office Action Summary

Application No.

10/529,589

Applicant(s)

HASKELL & HICKLING

Examiner

WILLIAM D. CUMMING

Art Unit

2617

Period to Reply - The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-8,12,13 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,4-8,12,13 and 15-17 is/are allowed.
- 6) ☒ Claim(s) 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claim 18 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The specification does not originally disclose and inadequately describe a splitter, a combiner and a component amplifier is in between the application of the complex weight. The "*written description*" of the invention required by first paragraph of 35 USC §112 is separate and distinct from that paragraph's

requirement of enabling disclosure, since description must do more than merely provide explanation of how to *"make and use"* the invention. Applicant must also convey, with reasonable clarity to those skilled in the art, that applicant, as of the filing date sought, was in possession of the invention, with the invention being, for purpose of *"written description"* inquiry, whatever is presently claimed.

Drawings alone may, under proper circumstances, provide *"written description"* of the invention required by 35 USC §112, and whether the drawings are from design application or utility application is not determinative. In order to satisfy *"written description"* requirement of 35 USC §112, the proper test is whether drawings conveys, with reasonable clarity to those of ordinary skill in the art, the claim subject matter.

6. Claim 18 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The specification fails to provide an enabling disclosure on how a splitter, a combiner and a component amplifier can be in between the application of the complex weight since application of the complex weight is a non-physical entity.

Claim Rejections - 35 USC § 101

7. Claim 18 is rejected under 35 U.S.C. 101 because the claimed invention is not supported by either an asserted utility or a well established utility.

It is impossible for a physical device, like a splitter, a combiner and a component amplifier to be in between a non-physical entity, the application of the complex weight since application of the complex weight is a non-physical entity.

Allowable Subject Matter

8. Claims 1, 4-8, 12, 13, and 15-17 are allowed.
9. As allowable subject matter has been indicated, applicant's reply must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP § 707.07(a).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ke, et al disclose a wireless system combining arrangement.

11. If applicants wish to request for an interview, an *"Applicant Initiated Interview Request"* form (PTOL-413A) should be submitted to the examiner prior to the interview in order to permit the examiner to prepare in advance for the interview and to focus on the issues to be discussed. This form should identify the participants of the interview, the proposed date of the interview, whether the interview will be personal, telephonic, or video conference, and should include a brief description of the issues to be discussed. A copy of the completed *"Applicant Initiated Interview Request"* form should be attached to the Interview Summary form, PTOL-413 at the completion of the interview and a copy should be given to applicant or applicant's representative.

Electronic Notification of Outgoing Correspondence (e-Office Action)

Effective December 16, 2006, the United States Patent and Trademark Office (Office) will begin a pilot program to provide a limited number of Private PAIR users with the option of receiving electronic notification of some outgoing correspondence related to their US patents and US national patent applications retrievable through Private PAIR instead of a paper mailing of the correspondence. Patent Cooperation Treaty (PCT) applications will not be included in this pilot.

Participants in this pilot program will no longer receive paper mailings for most correspondence originating from a Technology Center. However, since several areas of the Office have independent mailing processes, pilot participants will continue to receive paper mailings for correspondence originating from several areas of the Office including, but not limited to: Office of Initial Patent Examination, Petitions, PCT, Appeals, Publications, Interference, and Reexamination.

A Private PAIR user will be able to opt-in to receive electronic mail message (email) notifications of outgoing correspondence by selecting the appropriate choice on the Customer Number Details screen for a customer number associated with a correspondence address after logging in to Private PAIR and providing between one and three email addresses to be used for these notifications. The Private PAIR user must be a registered patent attorney or agent of record, or a pro se inventor who is a named inventor in the application associated with the customer number through which Private PAIR is accessed. The Office will then send a notification to each provided email address if a new outgoing correspondence has been prepared for the patents or patent applications associated with the user's Customer Number. Each email notification will list all applications, associated with the corresponding Customer Number, in which new outgoing correspondence was prepared for the corresponding electronic application files within the preceding 24 hours. Each email notification will be entered into the corresponding application files. The new outgoing correspondence will become available for viewing and downloading through Private PAIR within two business days of the date of the email notification.

Applicants will have the ability to opt-in or opt-out of receiving electronic notification of Office actions at any time. However, the status of each individual outgoing correspondence, whether electronic or paper, will be determined at the time of the

printing of the form PTOL-90 cover sheet (at the time the outgoing correspondence becomes available for viewing, i.e., the date indicated on the correspondence).

The email notification described above will be sent after the Office action has been prepared and entered into the record. The period for reply to any Office correspondence to which a reply is required will commence on the date indicated on the outgoing Office such outgoing correspondence for all other purposes (e.g., 37 CFR 1.71(g)(2), 1.97(b), 1.701 through 1.705). The Office communication will become available for downloading and viewing through Private PAIR on the date indicated on the correspondence.

If none of the documents in each of the applications listed in the email notifications are viewed or downloaded through Private PAIR within seven calendar days after the emails are sent, a courtesy postcard notifying the applicant of the availability of electronic Office action will be mailed to the correspondence address associated with the applicant's corresponding Customer Number for each of those applications. The mailing of a courtesy postcard will not restart the time period for reply, and the period for reply to any outgoing Office correspondence to which a reply is required will continue to be measured from the date indicated on such outgoing Office correspondence.

Please note that the email notification procedure outlined above is simply an automated email sent by the Office to alert applicant that an official Office correspondence has been entered in the official record that will be available for viewing via private PAIR. It is not an email sent by the examiner and does not alter the Office policy prohibiting an applicant or examiner from engaging in improper email correspondence. See MPEP section 502.03.

The e-Office Action Pilot Program will begin with a limited number of participants. The Pilot Program will last approximately six months. Upon the conclusion of the pilot program the success of the pilot will be evaluated. At that time decisions will be made as to whether or not to make modifications to the e-Office action program and whether or not to permanently implement the program.

Thus, if the pilot program is successful and a decision is made to permanently implement the program, it is expected that the e-Office Action Program will go into full production sometime around June 2007 at which point the program will be open to all users (registered patent attorney or agent of record, or a pro se inventor who is a named inventor in the application associated with the customer number through which Private PAIR is accessed) having a Customer Number and access to Private PAIR.

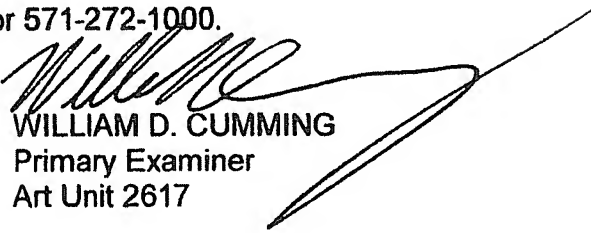
For further information please contact the Patent Electronic Business Center (EBC) 866-217-9197 (toll-free) or 571-272-4100 Monday through Friday from 6 a.m. to 12 Midnight Eastern Time or send e-mail to ebc@uspto.gov

Date 12/19/2006

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM D. CUMMING whose telephone number is 571-272-7861. The examiner can normally be reached on Monday-Thursday 11am-8:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

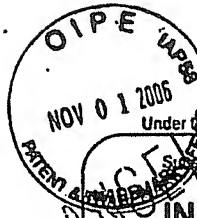
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


WILLIAM D. CUMMING
Primary Examiner
Art Unit 2617



UNITED STATES
PATENT AND
TRADEMARK OFFICE

William Cumming
Primary Patent Examiner
William.Cumming@uspto.gov



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PTO/SB/08a (09-06)
Approved for use through 03/31/2007. OMB 0551-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no Persons are required to respond to a collection of information unless it contains a valid OMR control number

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/529,589
Filing Date	March 29, 2005
First Named Inventor	Haskell
Art Unit	2617
Examiner Name	Cumming
Attorney Docket Number	05-217

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-			
		US-			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	† ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
		EP 1 111 821	6-27-01	Lucent Technologies		

Examiner
Signature

W. CUMMING

Date
Considered

2/9/07

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.
www.FormsWorkFlow.com

Notice of References Cited

Application/Control No.

10/529,589

Examiner

WILLIAM D. CHAMMING

Applicant(s)/Patent Under
Reexamination
HASKELL ET AL.

Art Unit

2617

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,658,263 B1	12-2003	Ke et al.	455/524
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notice of References Cited

Application/Control No.

10/529,589

Examiner

WILLIAM D. CHAMMING

Applicant(s)/Patent Under
Reexamination
HASKELL ET AL.

Art Unit

2617

Page 1 of 1

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*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-6,658,263 B1	12-2003	Ke et al.	455/524
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a))
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Appendix B

(Copy of MBHB Incoming Mail Log From 2/8 to 3/2/2007)

Serial #	Action	FEB. 8, 2007	Mail Date
18/529 884	Not. Amrvl. Ext. Regst		2-3-07

error RA

11/288 878 (1) Original	Patent # 7,170,599 B2	1-30-07
10/304 468 (10) Soft Copies	# 7,173,132 B2	2-6-07
10/341 001 (5) Soft Copies	7,173,011 B2	2-6-07
11/004 555 (1) Original	# 7,168,294 B2	1-30-07
09/899 422 Not Allow		1-30-07
10/673 054 Office Action		1-30-07
11/390 962 " "		1-31-07
10/362 982 Office Action (from Baniak)		1-29-07
11/580 445 Updatd Fily Recpt (from Baniak)		2-2-07
29/227 859 Issue (R)		

FEB. 9, 2007

29/227 859 Issue Notificatin		2-20-07
09/659 519 Not. Re Change of POA		1-31-07
11/240 743 Not. Non-Complt Amendment		1-29-07
10/888 660 Interview Summary		2-5-07
09/886 649 Resp. to Rule 312		2-5-07
11/253 473 Notice of Pub	Pub:	1-25-07
11/184 097 " "		" "
11/503 817 " "		" "
11/446 474 " "		" "
11/420 195 " "		" "
10/543 639 " "		" "
11/482 926 " "		" "

Serial#	Action	FEB 9, 2007	Mail Date
10/580 750	Not. New / Revised Pub		1-25-07
10/562 782	" "		1-25-07
60/884 661	Filing Recpt		2-5-07
11/620 342	" "		2-5-07
60/880 201	" "		2-5-07
11/469 227	Updated Filing Recpt		2-5-07
11/656 334	Filing Recpt / Mssg Parts		2-5-07
08/018, 247; 08/360, 606; 09/042, 929; 08/546, 661	Maint Fee Reminder		1-24-07
08/204, 753; 09/320, 854	Maint. Fee Reminder		1-17-07
09/716 394	Maint. Fee Statute		-
10/519 533	Not. Recordation		2-1-07
10/735 357	Office Action		1-31-07
10/489 508	" "		2-1-07
08/876 689	Not Patent Expiration		1-24-07
09/791 370	Not. Patent Expiration		1-17-07
09/887 206	" " "		1-17-07
11/000 659	Office Action (from Sprint) Sprint		1-29-07
11/613 567	Filing Recpt		1-25-07
10/368 722	Office Action		2-2-07
10/682 466	" " (+3 refs)		1-31-07
10/301 955	" "		2-5-07
11/619 348	Filing Recpt		1-31-07
09/716 342	Inspec Fee Transmittal	PD	2-2-07
10/264 100	Office Action		2-2-07
10/008 134	Office Action (+ ref)		2-1-07

Feb 12, 2007 Cont.

<u>Serial #</u>	<u>Action</u>	<u>Mail Date</u>
11/370073	Office Action	2-7-07
11/335119	" "	2-6-07
10/1148514	" "	2-7-07
11/424423	" "	2-6-07
10/823377	" "	2-2-07
90/007619	Advisory Action	2-2-07
90/006824	" "	2-2-07
10/499760	Office Communication	2-7-07
10/99342	Office Action	2-8-07
10/971870	" "	2-7-07
10/288160	Not. of Abandonment	2-6-07
10/182067	" "	2-7-07
10/923182	Office Action 1 of 2	2-6-07
10/923182	" " 2 of 2	" "
10/508057	Original Patent	2-6-07
10/304468	" "	2-6-07
09/920980	" "	2-6-07
10/341001		" "
11/538971	Filing Receipt / Miss. Parts	2-6-07
11/507506	" "	2-6-07
60/829821	" "	2-6-07
11/620858	" "	2-6-07
11/656764	Filing Receipt	2-6-07
60/885303	" "	2-7-07
60/884287	" "	2-2-07
60/885077	" "	2-6-07

Feb. 12, 2007 Cont

Serial #	Action	Mail Date
11/050312	Filing Receipt / Not to File Conv. Appl. Papers	2-6-07
10/558576	" "	2-6-07
10/506539	Filing Rec/ Nvt. of Accep. of Appl.	2-2-07
10/502510	" "	2-2-07
10/556636	Not. Missg Requirnts (from Exclitis)	1-29-07

FEB. 13, 2007

78/184209	Not. Accept of SOU (TM)	2-7-07
78/777925	Not. Publicatn (TM)	2-7-07
09/992313	Advisory Action	2-8-07
10/264707	Not. Allow	2-7-07
11/062727	Not. Allow	2-7-07
78/977745	(1) Cert of Regist. #3,206,998	2-6-07
60/742857	(1) Cert. Copy of Appln.	Ordered: 1-31-07
10/698311	Office Action	2-8-07
10/918969	" "	2-12-07
10/502371	" "	2-8-07
10/201818	" "	2-6-07
10/535391	" "	2-8-07
10/305308	" "	2-7-07
11/059285	" "	2-7-07
11/077321	" "	2-7-07
11/075480	" "	2-7-07
11/292250	" "	2-7-07
09/856763	" "	2-7-07

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(3mo)

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FEB. 13, 2007 Contd

Mail Date

10/051 316 Office Action

(from BuriaK)

2-2-07

11/474 776 Not. Pub

" "

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10/180 172 Maint. Fee Statement

" "

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09/608 382 " " "

" "

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Sprint

10/349 644 Advisory Action

2-6-7

10/301 971 " "

2-6-7

10/784 612 Not. Panel Decsn

1-31-7

10/893 282 Examiner's Answer

2-7-7

10/157 612 (1) Copy Patent # 7,174,164 B1

2-6-7

(1) " 7,174,156 B1

2-6-7

(1) " 7,174,187 B1

2-6-7

(1) " 7,174,152 B1

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2-6-7

FEB. 14, 2007

78/570704 Not. Approval Ext. Req

2-8-7

60/864 029 Filing Recept

2-7-7

60/880 982 " "

2-8-7

11/486 326 Updated Filing Recept

2-8-7

11/555 544 " "

2-9-7

11/611 568 Corrected Filing Recept

2-9-7

11/635 934 " "

2-8-7

60/829 863 Filing Recept / Missing Parts

2-8-7

11/624 979 " " " "

2-9-7

11/656 219 Filing Recept / Not. File Corrected Papers

2-7-7

11/655 714 " " "

2-8-7

FEB. 14, 2007 cont'd

Serial #	Action	Mail Date
11/417 899	Not. Abandonment	2-6-7
11/416 469	" "	2-7-7
11/417 513	" "	2-7-7
10/887 694	" "	2-9-7
10/895 431	Not Re: Chge of POA	2-9-7
10/447 302	" "	2-9-7
10/527 230	" "	2-9-7
10/447 302	Not. Accept of POA	2-9-7
10/895 431	" "	2-9-7
10/527 230	" "	2-9-7
10/898 600	Not. - Not Responsive Amendment	2-5-7
10/759 586	Not. Non-Complet Amendment	2-8-7
10/749 001	IDS copy initialed	2-9-7
10/877 889	Not. - Not Response / Not to Comply	2-9-7
10/399 797	Advisory Action	2-9-7
90/1006 824 + 90/007 619	Ex Parte Comm - Intrvw Summary	2-9-7
10/560 297	Decision Dismissg Renewed Pet. (1.47(b))	2-9-7
10/581 389	Not. Missg Requirements	2-9-7
10/880 805	Not. Allow	2-8-7
09/795 730	" "	2-8-7
10/508 596	" "	2-8-7
29/238 784	" "	2-8-7
10/652 378	Issue Notification	—
10/341 956	" "	
10/459 360	" "	

Serial#	Action	Mail Date
11/063 027	Issue Notificatn	-
10/328 816	" "	-
11/057 172	Not. Record. Assignmt	2-5-7
10/854 848	Office Action	2-8-7
11/032 525	" "	2-8-7
10/384 954	" "	2-8-7
09/851 743	" "	2-8-7
10/206 705	" "	2-8-7
10/423 354	" "	2-9-7
10/700 199	" "	2-9-7
10/630 374	" "	2-9-7
10/389 518	" "	2-8-7
10/983 511	" "	2-9-7
10/679 913	-OAction (from Clark + Elbing) - 1-18-07	

FEB. 15, 2007

11/436 069	Office Action	2-8-7
10/600 389	Not. Allow	2-7-7

Sprint

11/006 971	Advsry Action	2-7-7
10/695 720	Not. Panel Decision	2-9-7
10/933 596	" " "	2-7-7
10/921 639	" " "	2-5-7

Serial #	Action	FEB. 16, 2007	Mail Date
90/008 344	Order Granting Ex Parte Reexam		2-12-07
10/302 241	Office Action		2-8-07
10/1962 898	" "		2-5-07
11/652 912	Not. Record 1-26-07	Sprint	
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29/267 675	File Recept		11-1-06
11/654 115	Not. Record. Assignat		1-31-07
11/655 341	" "		2-1-07
11/656 803	" "		2-1-07
11/699 656	" "		2-7-07
11/651 260	Not. File Correctd Appln Papers		2-8-07
10/405 745	Office Action		2-5-7
11/142 641	" "		2-5-7
10/349 592	" "		2-7-7
10/684 891	" "		2-7-07
10/734 700	" "		2-8-07
10/804 377	" "		2-8-7
10/829 704	" "		2-9-7
10/197 136	" "		2-9-7
11/090 346	" "		2-9-7
11/199 649	" "		2-9-7
10/946 293	Not. Panel Decision		2-9-7
10/272 222	" " "		2-12-7
10/071 833	Docketing Notice		2-8-07
10/438 563	" "		2-12-7/2-16-7 Sprint stamp

Serial# Action

FEB. 16, 2007 contd.

Mail Date

10/374 456 Not. Allow

2-7-07

09/892 983 Office Action (2 refs)

2-13-07

FEB. 20, 2007 - 19th - Holiday

10/477 007 Not. Abandon

2-12-07

10/376 417 Not. Allow

2-12-07

10/445 478 " "

2-13-07

10/515 703 " "

2-12-07

10/684 957 Interview Summary

2-13-07

10/920 989 " "

2-13-07

09/525 998 Advisory Action

2-14-07

10/927 329 Resp to Rule 312

2-14-07

11/142 869 Decision on Petition

2-12-07

11/640 681 Notice Non-Comply

2-12-07

10/580 750 " "

2-12-07

11/126 126 Ack Refund Request

2-9-07

11/601 020 Not. Record Assign

2-9-07

09/320 854 Not. Re Change POA

2-8-07

10/388 569 " "

2-13-07

11/503 769 Notice of Publication

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11/460 544 " "

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11/460 552 " "

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11/416 788 " "

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10/558 966 " "

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11/460 558 " "

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10/471 271 " "

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<u>Serial #</u>	<u>Action</u>	<u>FEB. 20, 2007 cont'd</u>	<u>Mail Date</u>
11/484 438	Notice of Publication		-
11/460 546	" "		-
11/460 540	" "		-
11/490 290	" "		-
11/489 102	" "		-
10/576 578	" "		-
11/408 729	" "		-
10/565 657	" "		-
11/462 153	" "		-
11/462 356	" "		-
10/558 769	" "		-
11/495 077	" "		-
11/503 814	Not. New/Revised Pub Date		2-1-07
10/566 539	" "	" "	2-1-07
10/575 996	" "	" "	2-8-07
11/460 555	" "	" "	2-8-07
09/746 821	Maint. Fee Statute		-
09/849 755	" "	" "	-
08/757 238	" "	" "	-
08/449 733	" "	" "	-
08/712 976	" "	" "	-
60/863 584	Filing Recpt		2-13-07
60/887 017	" "		2-12-07
11/624 444	" "		2-12-07
11/622 699	" "		2-14-07

<u>Serial #</u>	<u>Action</u>	<u>FEB. 20, 2007 contd</u>	<u>Mail Date</u>
60/887 269	Filing Recpt		2-13-07
60/887 585	" "		2-13-07
11/610 976	Updated Filing Recpt		2-12-07
11/553 930	" " "		2-12-07
11/557 186	" " "		2-13-07
11/567 563	Filing Recpt / Missg. Parts		2-12-07
11/623 633	" " "		2-12-07
11/625 760	" " "		2-13-07
11/567 616	" " "		2-13-07
11/652 936	" " "		2-13-07
11/567 791	" " "		2-13-07
11/566 818	" " "		2-13-07
10/562 561	Office Action		2-13-07
10/340 569	" "		2-14-07
10/237 500	" "		2-13-07
11/251 117	" "		2-13-07
10/371 835	" "		2-13-07
11/510 232	" "		2-14-07
10/552 220	" "		2-12-07
10/449 928	" "		2-12-07
09/619 199	" "		2-12-07
10/280 884	" "		2-9-07
10/995 051	" "		2-12-07
09/720 006	" " (incomplete - coversheet + reference only)		2-15-07

<u>Serial #</u>	<u>Action</u>	<u>FEB. 20, 2007 contd.</u>	<u>Mail Date</u>
60/731 816	(1) Cert Copy of Applica	ordered:	2-6-07
11/031 623	(1) Orig Copy Patent #	7,176,218 B2	2-13-07
10/507 449	(1) " "	7,177,363 B2	2-13-07
10/930 421	(1) " "	7,176,732 B2	2-13-07
10/513 810	(1) " "	7,176,827 B2	2-13-07
10/291 318	(1) " "	7,176,242 B2 (1 of 2 parts)	2-13-07
10/291 318	(1) " "	7,176,242 B2 (2 of 2 parts)	" "
10/875 155	(1) " "	7,176,183 B2 (plus 5 soft copies)	2-13-07
10/844 076	(1) " "	7,176,304 B2 (plus 10 soft copies)	2-13-07
10/946 251	Office Action (from Baniak)		2-12-07
10/933 740	" " (from Baniak)		2-12-07

Feb. 21, 2007

<u>Serial No.</u>	<u>Action</u>	<u>Mail Date</u>
78/528361	Not. of Approval of Ext. Request	2-14-07
78/494510	Not. of Pub.	2-14-07
10/505054	Recorded Assignment	2-15-07
09/073030	Main. Fee Stmt.	
09/318887	Main. Fee Stmt.	
11/588082	Updated Filing Receipt	2-16-07
10/291291	Issue Not.	
10/472252	" "	
11/517654	Not. of Pub.	
10/230677	Issue Not.	
07/982005	Main Fee Stmt.	
10/270877	Issue Not.	

Feb. 21, 2007 Cont

<u>Serial #</u>	<u>Action</u>	<u>Mail Date</u>
10/557512	Not. of Pub.	
10/572161	Not. of Pub.	
11/586335	Corr. Filing Rec	
10/547141	Not. of Pub.	
76/663633	Not. of Pub.	2-14-07
09/691730	Not. of Pat. Exp.	2-7-07
07/930595	Main. Fee Stmt.	
08/223103	"	"
09/969931	"	"
11/140338	Office Action (1 of 2)	2-16-07
09/644052	"	2-15-07
09/998899	"	2-16-07
10/501755	"	2-16-07
10/537553	"	2-15-07
10/166279	"	2-15-07
10/431341	"	2-15-07
10/988331	"	2-15-07
10/536709	"	2-15-07
10/884435	"	2-15-07
09/970146	"	2-15-07
11/358862	"	2-15-07
09/720006	"	2-15-07
11/264738	"	2-15-07
11/510232	"	2-14-07
Sprint faxed to Kelly - e-mail not working		
10/224077	Not. of Publ. Dec.	2-16-07

Feb. 21, 2007 Cont

47

Serial #	Action	Mail Date
10/350176	Advisory Action	2-15-07

FEB. 22, 2007

60/558 800	Letter Re: order for Cert Copy Appeln rejected	2-16-07
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11/346 671	(1) Cert Copy Appeln	ordered: 2-7-07
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11/648 514	Filg Recpt / Missig Parts (from Bariak)	2-15-07
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10/463 546	Not. Non-Complt	2-15-07
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FEB. 23, 2007

11/428 534	Office Action	1-26-07
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10/201 878	(1) Patent # 7,175,980 B2	2-13-07
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11/140 328	Office Action (^{3 pgs.} coversheet + reference only)	2 2-16-07
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Sprint

11/627 215	Filg Recpt	2-15-7
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11/626 442	" "	2-15-7
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11/656 803	" "	2-15-7
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11/655 341	" "	2-12-7
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11/654 115	" "	2-12-7
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11/700 656	Not. Record. Assign	2-12-7
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11/652 912	Filg Recpt	2-8-7
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11/375 163	Not. New/Revsd Pub Date (12.14.05) Comm. Re: Rescission	2-8-7
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10/175 876 913	Issue Fee Transmittl	PD: 2-15-7
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10/178 426	" " "	2-15-7
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10/941 970	" " "	2-15-7
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10/677 784	Issue Notif.	2-14-7
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10/320 292	" "	2-14-7
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10/945 201	Issue Fee Transmittl	PD: 2-15-7
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10/977 142	" " "	2-15-7
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Serial #	Action	FEB. 26, 2007	Mail Date
10/194 375	Not Allow		2-20-07
09/146 617	Not. Abandoned		2-21-07
11/417 514	" "		2-20-07
11/462 637	" "		2-20-07
10/963 898	Adversy Action		2-21-07
09/825 707	Not. Re Change of POA		2-15-07
10/321 410	Not. Accept of POA		2-12-07
10/572 257	Not. Missig Requirements		2-21-07
10/572 717	" "		2-20-07
60/876 453	Filing Recpt		2-20-07
60/876 301	" "		2-21-07
60/889 140	" "		2-21-07
11/657 172	" "		2-20-07
60/866 666	" "		2-21-07
11/436 972	Updated Filg Recpt		2-21-07
11/565 933	Filing Recpt / Missig Parts		2-21-07
11/538 667	Filing Recpt / Not. Incomplete Reply		2-21-07
10/869 638	Office Action		2-21-07
10/837 021	" "		2-21-07
11/184 097	" "		2-15-07
10/381 944	" "		2-22-07
10/208 442	" "		2-21-07
10/772 757	" "		2-21-07
09/879 537	" "		2-21-07
09/674 402	" "		2-23-07

Serial #	Action	<u>FEB. 26, 2007 contd.</u>	Mail Date
¹⁰ /225 004	Office Action		2-21-07
¹¹ /155 200	" "		2-21-07
¹¹ /121 165	" "		2-21-07
¹⁰ /054 374	Cert. of Correctn		10-25 2-20-07
¹⁰ /822 129	" "		2-20-07
²⁹ /227 859	(1) Orig. Patent # D537 105 S		2-20-07
		<u>FEB. 27, 2007</u>	
¹⁰ /263 623	(1) Orig. Patent # 7,176,111 B2		2-13-7
²⁸ /732 686	(1) Orig. Cert of Regist. # 3,210,618 (TM)		2-20-7
²⁸ /731 521	(1) " " " 3,210,615 (TM)		2-20-7
¹⁰ /870 882	Not. Abandoned		2-23-7
¹⁰ /504 305	Office Action		2-22-7
¹⁰ /643 699	Not. Panel Decisa		2-22-7
¹⁰ /381 941	Advsry Action		2-23-7
¹⁰ /492 248	Not. Allow		2-22-7
¹⁰ /800 487	Not to Comply		2-22-7
¹¹ /204 191	Office Action		2-21-7
¹⁰ /376 930	" "		2-22-7
¹⁰ /674 741	" "		2-22-7
		<u>FEB. 28, 2007</u>	
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Appendix C

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 05-217)

In the Application of:)	
)	
Philip Edward Haskell)	Examiner: W. D. Cumming
)	
Serial No. 10/529,589)	
)	Group Art Unit: 2617
Filed: March 29, 2005)	
)	
Title: Mobile Radio Base Station)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REPLY TO THE FEBRUARY 9, 2007 OFFICE ACTION

This is a Reply to the February 9, 2007 Office Action for the above-identified patent application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

IN THE CLAIMS:

This listing of claims will replace all prior versions, and listing, of claims in the application.

Listing of the Claims:

1. (Previously presented) A base station for communicating signals between an operator and one or more mobile units by means of an antenna system having a plurality of radiating elements, wherein:

the system is arranged to process the signals as a plurality of component signals, each component signal being associated with one or more radiating elements within the antenna system, and

modulating means are arranged to apply complex weights to the component signals such that summation of the component signals results in the production of an antenna beam direction dependent on the value of the complex weights, and

wherein splitting, combining, and component signal amplifying means is provided between the application of the complex weight to the component signal and the component signal passing through its associated radiating element or elements, characterised in that:

the splitting and combining means incorporates an interface allowing other operators to be connected simultaneously to the same antenna system, with each operator operating on a different frequency, and the system further includes a measurement receiver, and a data hub, wherein the measurement receiver is adapted to take a complex measurement from any component signals in the vicinity of the antenna system and generated by any base station connected to the antenna system, and to pass the measurement to the generating base station via the data hub, to enable phase component signal phase correction due to changes in feeder length between the base station and the antenna.

2-3. (Cancelled)

4. (Previously presented) A base station as claimed in claim 1 arranged to apply the complex weights to the component signals at a component signal frequency lower than the component signal frequency that is passed to the antenna.

5. (Previously presented) A base station as claimed in claims 1 wherein the base station is arranged to apply the complex weights to the component signals at a component signal frequency substantially the same as the component signal frequency that is passed to the antenna.

6. (Previously presented) A base station as claimed in claim 1 wherein the modulating means comprises vector controllers.

7. (Original) A base station as claimed in claim 6 wherein the vector controllers are arranged to control the relative phase of each component signal.

8. (Previously presented) A base station as claimed in claim 6 wherein the vector controllers are arranged to control the amplitude of the component signal.

9-11. (Cancelled)

12. (Previously presented) A method of controlling the direction of a transmit beam produced by an antenna connected to at least two base stations, the method comprising:

in a first base station, splitting a first signal to be transmitted into a plurality of component signals;

applying a complex weight or weights to at least one of the component signals, thereby changing the phase and/or amplitude of the component signal relative to at least one other of the component signals;

passing the component signals to amplifying and combining means wherein the signals are brought to a power level suitable for transmission, and combining the component signals with component signals from a second base station using combining and filtering means; and

passing the combined component signals to antenna elements or groups of elements, such that transmission by the elements causes a beam of energy representative of the first signal to be formed in a direction governed by the complex weight or weights;

measuring at least one of said component signals from at least one of the first and second base station in the vicinity of the antenna using a measuring receiver, and passing information relating to the measurement to the at least one of the first and second base station.

13. (Previously presented) A method as claimed in claim 12 wherein the component signals from the second base station are independent from those generated by the first base station.

14. (Cancelled)

15. (Previously presented) A method of controlling the direction of a receive beam produced by an antenna connected to at least two base stations, the method comprising:

i) receiving in the antenna a plurality of component signals, each relating to a receiving element or group of receiving elements, and passing the signals to splitting and filter means via a plurality of feeder cables;

ii) separating using the splitting and filter means the component signals intended for a first base station, and amplifying said component signals using amplification means;

iii) applying a complex weight or weights to at least one of the component signals in the first base station, thereby changing the phase and/or amplitude of the component signal relative to at least one other of the component signals;

iv) combining the component signals in a beamformer in the first base station to produce a receive beam formed in a direction governed by the complex weight or weights;

v) feeding a signal from a signal generator to one or more feeder cables in the vicinity of the antenna, and measuring the properties of the received signal at the base station; and

vi) repeating steps ii to v in a second base station independently of the first base station.

16. (Previously presented) A base station as claimed in claim 1 wherein the measurement receiver is arranged to be switchable between different component signals in the vicinity of the antenna system.

17. (Previously presented) A plurality of base stations connected to a single antenna system, wherein each base station is a base station as claimed in claim 1.

18. (Previously presented) A base station for communicating signals between an operator and one or more mobile units with an antenna system having a plurality of radiating elements, the ~~system~~ base station comprising:

a processor adapted to process the signals as a plurality of component signals, each component signal being associated with ~~on~~ one or more radiating elements within the antenna system; and

a modulator adapted to apply complex weights to the component signals such that summation of the component signals results in the production of an antenna beam direction dependent on the value of the complex weights;

wherein a splitter, a combiner, and a component signal amplifier ~~is~~ are provided between the modulator adapted to apply ~~application of~~ the complex weight to the component signal and the component signal passing through its associated radiating element or elements, the splitter being in a receive signal path, and the combiner being in a transmit path wherein the splitter and combiner incorporate an interface allowing other operators to be connected simultaneously to the same antenna system, with each operator operating on a different frequency.

REMARKS

Claims 1, 3-8, 12-13 and 15-18 are pending in the application.

Claim 18 is amended above to clearly set forth what the Applicant regards as the invention. Claim 18 is also amended above to correct several typographical errors.

I. THE DRAWING OBJECTION

The examiner objected to the drawings for failing to show the “application of the complex weight” as stated in claim 18.

The examiner’s objection is moot in view of the amendments to claim 18 above. In particular, claim 18 is amended to clarify that it is the modulator adapted to apply complex weight to the component signals and further identifying the orientation of the modulator with respect to other apparatus elements.

II. THE SECTION 112 AND SECTION 101 REJECTION

The examiner rejected claim 18 under the first and second paragraphs of 35 USC §112 and under 35 USC §101.

The examiner’s rejections are overcome by amending claim 18 as discussed in section I above.

CONCLUSION

Claims 1, 3-8, 12-13 and 15-18 are ready for patenting for the reasons recited above. Favorable consideration and allowance of this application is, therefore, courteously solicited.

Date: October 24, 2007

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